

**REMARKS**

Applicants thank the Examiner for the courtesy extended during the telephone interview on November 5, 2003. As indicated in the Interview Summary of November 5, 2003 the Examiner indicated that the Office Action of August 29, 2003 is a non-final Office Action.

**I. Status of the Claims**

Claims 1-4 and 6-27 are pending in this application. Applicants submit that the Examiner has mistakenly listed the wrong claims as being withdrawn from consideration in the Office Action Summary. The Examiner withdrew claims 15-23 and 26-27 from consideration, but not claims 1-23, 26, and 27, as is indicated on Item 4(a) of the Office Action Summary. In this response, claim 5 has been proposed to be cancelled without prejudice or disclaimer of the subject matter thereof, and claims 1, 6, and 24 have been proposed to be amended.

**II. Restrictions**

In the Office Action, the Examiner maintained the restriction requirement of November 15, 2002. For the reasons Applicants stated in the May 27, 2003 Response, Applicants request reconsideration of the finality of the restriction requirement.

**III. Claim Objections**

Claims 24 and 25 have been objected to "as being of improper dependent form for failing to further limit the subject matter of a previous claim." Applicants respectfully submit that this objection is rendered moot by the foregoing Amendment to claim 24. Accordingly, the claim objection should be withdrawn.

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**IV. Claim Rejections Under 35 U.S.C. § 103**

The Examiner, under 35 U.S.C. § 103(a), rejected: (1) claims 1-3, 5-7, 10, 24, and 25 as being unpatentable over *Brinkmeier* (US 3,899,385) in view of *Heitmann* (US 3,955,481), *Miyake* (US 4,743,325), and *Ernst et al.* (US 3,868,292); (2) claim 4 as being unpatentable over *Brinkmeier* in view of *Ahr* (US 5,837,087); (3) claim 8 as being unpatentable over *Brinkmeier* as applied to claim 3, and further in view of *Heuser et al.* (US 3,698,296), *Talalay* (US 4,504,336), and *Du Fresne* (US 2,931,751); (4) claim 9 as being unpatentable over *Brinkmeier* as applied to claim 1, and further in view of *Lindstrom et al.* (US 4,321,103); (5) claim 11 as being unpatentable over *Brinkmeier* as applied to claim 3, and further in view of *Jue* (US 4,432,830); and (6) claims 12-14 as being unpatentable over *Brinkmeier* as applied to claim 1, and further in view of *Miyajama et al.* (US 6,321,813), *Farfaglia et al.* (US 3,847,540), and *Sbrana* (US 5,972,151). These rejections are respectfully traversed for the following reasons.

Claims 1 and 24 recite a device having, for example, cutting means configured to cut a sheet into a segment of variable sizes, and a suction drum rotating means, wherein the suction drum rotating means includes a hollow drum with a plurality of holes disposed circumferentially and axially to substantially cover the drum surface to produce the suction force to accommodate a segment of supporting and/or lining sheet of variable sizes. The devices of claims 1 and 24 are not taught or suggested by the cited references.

*Brinkmeier* discloses an apparatus for applying labels on articles having an applying roller. In the Office Action, the Examiner stated that *Brinkmeier* discloses an apparatus including suction drum means with vacuum bores 22 and 23. However, *Brinkmeier* fails to teach or suggest a suction drum rotating means including a hollow

drum with a plurality of holes disposed circumferentially and axially to substantially cover the drum surface *to produce the suction force to accommodate a segment of supporting and/or lining sheet of variable sizes*. Nor does the reference teach or suggest a device having cutting means configured to *cut a sheet into a segment of variable sizes*.

*Brinkmeier* discloses two rows of vacuum bores, 22 and 23, located in the applying roller, but these bores allow for the suction of only one fixed length of labels. For example, the applying roller of *Brinkmeier* would not be able to accommodate a segment of variable sizes and the cross-cutter 3,4 cuts a label of a fixed length, and cannot cut a sheet into a segment of variable sizes. Therefore, *Brinkmeier* does not teach or suggest the subject matter of claims 1 and 24.

*Heitmann, Miyake, and Ernst et al.* do not cure the above deficiency of *Brinkmeier*. *Heitmann* discloses a device for preparing adhesive strips to apply on boxes. *Miyake* discloses a laminator for applying film sheets to panels. *Ernst et al.* discloses a labeling apparatus having a vacuum control valve that interrupts communication of a vacuum source to release a label. None of these references, however, teaches or suggests a device including a hollow drum having a plurality of holes disposed circumferentially and axially to substantially cover the drum surface *to produce the suction force to accommodate a segment of supporting and/or lining sheet of variable sizes*. Nor do they teach cutting means configured to cut a sheet into a segment of variable sizes, as required by claims 1 and 24.

Furthermore, there is no motivation to combine these references. The current invention is directed to a device for applying a supporting, and/or lining sheet on panels

of mosaic tesserae, a discontinuous surface. As Applicants have previously explained, misalignment and unevenness of tesserae are some of the problems the current invention resolves. Response to Office Action of May 27, 2003 at page 4.

*Brinkmeier, Heitmann, Miyake, or Ernst et al.* do not address unevenness, misalignment, or local detachment problems of tesserae. *Brinkmeier* discloses the application of adhesive labels on the folded ends of bags. *Brinkmeier* at column 1, lines 1-8. *Heitmann* discloses the application of adhesive strips on the surfaces of blank boxes. *Miyake* discloses a technique for sticking film sheets on copper laminated glass epoxy boards, iron plates, plastic plates, or paper boards. *Miyake* at column 2, lines 64-67. *Ernst et al.* discloses an applicator for applying adhesive to individual labels to be affixed to articles such as envelopes, magazines, or the like. *Ernst et al.* at column 1, lines 6-9. One skilled in the art would not attempt to solve the problems associated with tesserae by looking to the disclosures of the cited references.

Consequently, the rejection of claims 1 and 24 under 35 U.S.C. § 103(a) should be withdrawn, and the claims should be allowed.

Claims 2, 3, 6, 7, 10, and 25 depend from claim 1 or claim 24, and these claims should also be allowed at least because of their dependency from claims 1 and 24.

With respect to the rejection of the remaining claims, Applicants respectfully traverse the rejections for the following reasons.

*Ahr* discloses an apparatus having compression rolls 77. *Heuser et al.* discloses a tape having an adhesive layer 127. *Talalay* discloses a tab applying apparatus having an adhesive activator. *Du Fresne* discloses a method of treating ceramic tiles involving sprays 21. *Lindstrom et al.* discloses a label application mechanism having a label-

applying roller that can be lifted or lowered. *Jue* discloses a label printer having a take-up reel 12. *Miyajima et al.* discloses an apparatus having a hot air nozzle 53 for heating containers. *Farfaglia et al.* discloses a heating system for a carton-forming machine with heaters 56, 57, 58. Finally, *Sbrana* discloses an apparatus for applying a cover sheet to a mold surface having an infrared heater IR.

However, none of these references teaches or suggests a device including a hollow drum having a plurality of holes disposed circumferentially and axially to substantially cover the drum surface to produce the suction force to accommodate a segment of supporting and/or lining sheet of variable sizes, as recited in claims 1 and 24.

Therefore, the rejection of claims 4, 8, 9, 11, and 12-14 under 35 U.S.C. § 103(a) should be withdrawn, and these claims should be allowed.

For the above reasons, Applicants submit that there can be no prima face case of obviousness. Accordingly, Applicants respectfully request that these rejections be withdrawn.

## **V. Conclusion**

Applicants respectfully submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants, therefore, request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

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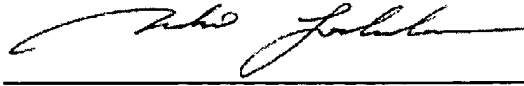
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If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: November 19, 2003

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